

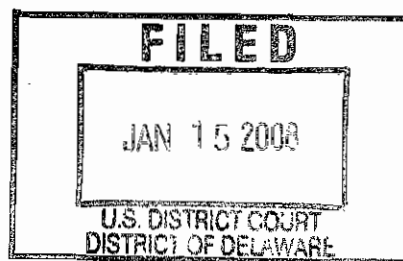
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

James R. Runyon,  
Plaintiff,

v.

ATTY. GEN. JOSEPH R. BIDEN III  
et al.,  
Defendants.

08-029  
CIV. ACT. No.: \_\_\_\_\_



ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER.

UPON THE SUPPORTING AFFIDAVIT OF THE PLAINTIFF AND THE ACCOMPANYING MEMORANDUM OF LAW, IT IS ORDERED THAT DEFENDANTS WARDEN ELIZABETH B. BURRIS, DEPUTY WARDEN PERCE, CORRECTIONAL MEDICAL SERVICES (C.M.S), MENTAL HEALTH DIRECTOR STUART STUTHERS, ATTY. GEN. JOSEPH R. BIDEN III, AND DEPUTY ATTY. GEN. PAUL WALLACE SHOW CAUSE IN ROOM \_\_\_\_\_ OF THE UNITED STATES COURTHOUSE, 844 KING STREET, WILMINGTON, DE. 19801, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008, AT \_\_\_\_\_ O'CLOCK, WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE PURSUANT TO RULE 65(a), FED. R. OF CIV. PROC., TO PROTECT THE SAFETY OF PLAINTIFF BY PLACING HIM ON PROTECTIVE CUSTODY WITH A TRANSFER TO ANOTHER STATE OR NON-STATE INSTITUTION WITH ADEQUATE MEDICAL TREATMENT;

IT IS FURTHER ORDERED EFFECTIVE IMMEDIATELY, AND PENDING THE HEARING AND OUTCOME OF THIS ORDER TO SHOW CAUSE, THAT DEFENDANT CORRECTIONAL MEDICAL SERVICES (C.M.S.), MENTAL HEALTH DIRECTOR STUART STUTHERS, AND MENTAL HEALTH UNIT AT D.C.C. WILL IMMEDIATELY STOP IN THEIR FAILURE TO GIVE PLAINTIFF PROPER AND CONSISTENT MEDICATION AND TREATMENT FOR HIS WELL ESTABLISHED MENTAL DISORDER.

IT IS FURTHER ORDERED THAT THIS ORDER TO SHOW CAUSE, AND ALL OTHER PAPERS ATTACHED TO THIS APPLICATION, SHALL BE SERVED ON DEFENDANT(S) ATTY. GEN. JOSEPH R. BIDEN III, DEPUTY ATTY. GEN. PAUL WALLACE, WARDEN ELIZABETH B. BURKS, DEPUTY WARDEN DAVID PIERCE, CORRECTIONAL MEDICAL SERVICES (C.M.S.), MENTAL HEALTH DIRECTOR STUART STUTHERS, AND MENTAL HEALTH UNIT AT D.C.C. BY \_\_\_\_\_, 2008, AND THE UNITED STATES MARSHALS SERVICE IS HEREBY DIRECTED TO EFFECTUATE SUCH SERVICE

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UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JAMES R. RUNYON,  
Plaintiff.

CIV. ACT. NO. \_\_\_\_\_

v.

ATTY. GEN. JOSEPH R. BIDEN III,  
Et. Al,  
Defendants.

DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR TEMPORARY  
RESTRAINING ORDER AND PRELIMINARY INJUNCTION.

JAMES R. RUNYON DECLARES UNDER THE PENALTY OF PERJURY:

1. I'm THE PLAINTIFF IN THIS CASE. I MAKE THIS DECLARATION IN support of my motion for a TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION TO ENSURE MY SAFETY IS PROTECTED AND I RECEIVE NECESSARY MENTAL HEALTH CARE TO PREVENT "DEATH"
2. AS SET FORTH IN THE COMPLAINT IN THIS CASE, I WAS AND STILL AM BEING PLACED IN HARM'S WAY WHERE I'm IN REGULAR SEGREGATION WHERE AN INMATE SHD THE TRIAL TRANSCRIPTS OF A MURDER TRIAL I TESTIFIED IN UNDER MY CELL DOOR. THE INMATE I TESTIFIED AGAINST IS HOUSED IN THE SAME NEXT OF SEGREGATION BUILDINGS I AM IN WHICH MAKES IT MORE ACCESSIBLE

for the Prisoner and others to cause serious bodily injuries to me or quite possibly death.

3. Before Hand and since my arrival at D.C.C., I informed the appropriate staff to have me put on protective custody or transfer me to another state or non-state facility to keep me from coming in contact with the inmate I testified against in a murder trial. All Prison officials who were aware of these concerns done nothing to help keep me from fearing for my life and still have me in harms way.

4. Between the dates of February 13, 2007 and up until this date, I have done every-thing I'm capable of by writing letters, filing grievances, phone calls from family to Prison authorities, verbal communication, etc. etc. to be kept safe from harm from others and myself. I've attempted suicide because I couldn't keep a clear and stable frame of mind while being harassed, provoked and threatened continuously. Prison authorities are well aware of this.

5. During the month of June, 2007, I the Plaintiff was restrained by Prison authorities by the use of excessive force which resulted in x-rays taken of my face.

6. Finally, I the Plaintiff takes psychiatric medication for several mental disorders. Whenever I file a



GRIEVANCE ABOUT CERTAIN MENTAL DISORDERS AND safety risks, my MEDICATION stops IN RETALIATION for my COMPLAINTS.

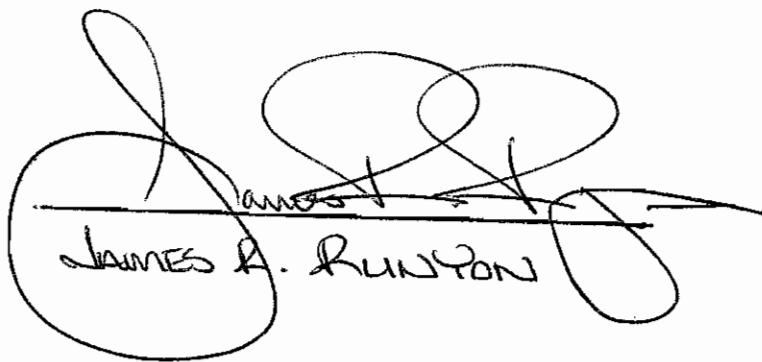
7. ON EVIDENCE AND belief, all DEFENDANTS HAVE VIOLATED THE AGREEMENT SIGNED by THE UNITED STATES Dept. of JUSTICE, THE CURRENT COMMISSIONER, AND CORRECTIONAL MEDICAL SERVICES (C.M.S.). THESE ACTIONS HAVE PLACED PLAINTIFF'S LIFE IN VERY "SERIOUS" AND DANGEROUS CONDITIONS respectively.

8. TOGETHER, all DEFENDANTS HAVE A RESPONSIBILITY TO PROTECT PLAINTIFF'S SAFETY AND PROVIDE THE NECESSARY MENTAL HEALTH ATTENTION AVAILABLE.

9. FOR THE REASONS SET FORTH IN THE MEMORANDUM OF LAW FILED WITH THIS MOTION, PLAINTIFF IS ENTITLED TO A TEMPORARY RESTRAINING ORDER REQUIRING DEFENDANT(S) TO FIRST TRANSFER PLAINTIFF TO PROTECTIVE CUSTODY FOLLOWING A TRANSFER OUT OF D.C.C. TO ANOTHER FACILITY STATE OR NON-STATE. SECONDLY THAT THE RETALIATION by STOPPING PLAINTIFF'S MEDS ALONG WITH HIS MISTREATMENT for a MENTAL HEALTH EVALUATION NO LONGER CONTINUE.

10. FOR THE FORGOING REASONS, THE HONORABLE COURT SHOULD GRANT PLAINTIFF'S MOTION IN ALL RESPECTS.

PURSUANT TO 28 U.S.C. § 1746, I DECLARE UNDER PENALTY OF PERJURY, I, JAMES R. RUNYON STATE THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



A handwritten signature in black ink, consisting of a large, stylized 'J' and 'R' followed by a horizontal line and the name 'James R. Runyon' written below it.

DATED: JANUARY 15, 2008